

REMARKS/ARGUMENTS

Claims 1-77 were pending in the application of which claims 1, 14, 26, and 51 were independent claims. Claims 1-25 were previously withdrawn. Claims 32-35, 41, 42, 58-62, 67, and 68 have been cancelled. Claims 26, 28, 36-39, 43, 45, 47, 51-53, 63-65, 69, 71, and 75-77 have been amended. No claims have been added. Applicant believes that the amendments introduce no new matter and are fully supported by the original disclosure. Accordingly, claims 26-31, 36-40, 43-57, 63-66, and 69-77 are still pending of which claims 26 and 51 are independent claims.

Examiner Interview:

Applicant would like to thank the Examiner for meeting with Applicant's representative, the undersigned, on May 13, 2009. As noted in the Interview Summary attached hereto, Applicant's representative and the Examiner were able to agree that the claims would overcome the prior art of record if claims 26 and 51 were amended to include certain limitations of claim 77.

Claim Amendments:

As a result of the agreement reached, claims 26 and 51 have been amended above. In addition, several claims were cancelled to remove potentially redundant claims. This necessitated the amendment of several other claims, e.g., to update claim dependencies and to keep the claims consistent. Applicant believes that these amendments do not introduce new matter and are fully supported by the original specification. Further, Applicant believes that these amendments relate to the form of the claims and not the substance or scope of the claims.

Claim Rejections Under 35 U.S.C. 103:

Paragraph 5 of the Action rejects claims 26, 28-30, 32-34, 41-43, 49-51, 56-60, 67-69, 75, and 76 under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. (U.S. Patent No. 7,240,062) in view of Syeda-Mahmood (U.S. Patent No. 5,953,451). Applicant has cancelled claims 32-34, 41-42, 58-60, 67, and 68 thereby rendering the rejection moot as to these claims. Applicant therefore respectfully requests withdrawal of the rejection of claims 32-34, 41-42, 58-60, 67, and 68; however, Applicant expressly reserves the right to pursue any patentable subject matter included in claims 32-34, 41-42, 58-60, 67, and 68 at a later time.

With respect to the remaining claims, claims 26 and 51 have been amended in accordance with the agreement reached with the Examiner. Accordingly, Applicant submits that the claims as amended overcome the art of record. Claims 28-30, 43, 49-50, 56, 57, 69, 75, and 76 ultimately depend from claims 26 and 51 and are therefore allowable for at least the same reasons. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 26, 28-30, 43, 49-51, 56, 57, 69, 75, and 76.

Paragraph 6 of the Action rejects claims 27, 31, 52, and 54 under 35 U.S.C. 103(a) as being unpatentable over Anderson in view of Syeda-Mahmood in further view of Louden et al. (U.S. Patent No. 6,556,712). Claims 27, 31, 52, and 54 ultimately depend from claims 26 and 51 and are therefore allowable for at least the same reasons. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 27, 31, 52, and 54.

Paragraph 7 of the Action rejects claims 35-40, 44-48, 61-66, 70-74, and 77 under 35 U.S.C. 103(a) as being unpatentable over Anderson in view of Syeda-Mahmood in

further view of Krtolica (U.S. Patent No. 5,719,959). Applicant has cancelled claim 35 thereby rendering the rejection moot as to this claim. Applicant therefore respectfully requests withdrawal of the rejection of claim 35; however, Applicant expressly reserves the right to pursue any patentable subject matter included in claim 35 at a later time. Claims 36-40, 44-48, 61-66, 70-74, and 77 ultimately depend from claims 26 and 51 and are therefore allowable for at least the same reasons. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 36-40, 44-48, 61-66, 70-74, and 77.

Paragraph 8 of the Action rejects claims 53 and 55 under 35 U.S.C. 103(a) as being unpatentable over Anderson in view of Syeda-Mahmood in further view of Appleby (U.S. Patent Publication No. US2005/0015240 A1). Claims 53 and 55 ultimately depend from claims 26 and 51 and are therefore allowable for at least the same reasons. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 53 and 55.

CONCLUSION

Based on the above amendments and remarks, Applicants believe that claims 26-31, 36-40, 43-57, 63-66, and 69-77 are in condition for allowance and such is respectfully requested. Applicants believe that no fees are necessitated by this amendment and response. The Commissioner is hereby authorized to charge any additional fees required by this response to our Deposit Account No. 502075.

Respectfully Submitted,

Date: May 22, 2009

By: /Noel C. Gillespie/

Noel C. Gillespie, Reg. No. 47,596
Procopio, Cory, Hargreaves & Savitch LLP
530 B Street, Suite 2100
San Diego, California 92101-4469
Telephone: (619) 515-3288
Facsimile (619) 398-0189